

TRUSTEES OF THE NATIONAL
ELEVATOR INDUSTRY PENSION,
HEALTH BENEFIT, EDUCATIONAL,
ELEVATOR INDUSTRY WORK
PRESERVATION FUNDS, ELEVATOR
CONSTRUCTORS ANNUITY AND
401(K) RETIREMENT PLAN,

Plaintiffs,

V.

AFCO LIFT AND EQUIPMENT
CORP., et al.,

Defendants.

[Docket No. 14]

Boal, M.J.

Plaintiffs Trustees of the National Elevator Industry Pension, Health Benefit, Educational, Elevator Industry Work Preservation Funds, Elevator Constructors Annuity and 401(k) Retirement Plan (“Plaintiffs”) seek an order adjudging defendant Karl Becker (“Becker”) in contempt for failing to satisfy a subpoena to testify at a deposition and to produce documents. For the following reasons, the Court recommends that the District Judge assigned to this case hold Becker in contempt.

I. FACTUAL AND PROCEDURAL BACKGROUND

On December 8, 2010, the United States District Court for the Eastern District of

Report and Recommendation-1-accepted and adopted. JMGorton, US DJ 12/2/13